

Appl. No. : 10/531,548
Filed : December 12, 2005

REMARKS

Discussion of Rejection of Claims under 35 U.S.C. § 102(b)

Claims 1-6 were rejected under 35 U.S.C. §102(b) as being anticipated by Hobart (GB 2181948).

Claim 1 requires “a shell construction which is deformable under seating load, which construction consists of a multi-faceted skeleton of geometrically shaped air permeable shell shaping sheet elements manufactured from porous natural or plastic material having the property to spring back in its original shape, and wherein the shell construction is provided internally with a hollow internal space which is partially filled with a number of relatively small shape-retaining particles”. Hobart relates to a seat having a flexible and resilient wall defining a space filled with material which will support the weight of a person seated thereon. Nowhere does Hobart suggest providing a multi-faceted skeleton construction of a plurality of geometrically shaped, air permeable, shell shaping, sheet elements that are mutually interconnected into a shell; the shell as a result having an increased spring back property. On the contrary, Hobart does not describe how the cylindrical shaped seat is constructed and how a good shape retaining property is obtained in particular for large objects like seats. The seat of Hobart seems to be constructed from a single wall shaping element and will thus quickly lose its shape and will collapse due to the weight of the wall and the lack of support by e.g. a multi-faceted skeleton. The remaining prior art of record does not cure these deficiencies in Hobart. Accordingly for at least these reasons, Claim 1 is not anticipated by Hobart. Therefore, allowance of independent Claim 1 is respectfully requested.

Claims 2-6 are dependent either directly or indirectly on the above-discussed independent Claim 1 and are not anticipated for at least the same reasons as set forth above. Furthermore, the use of adhesive in claim 2 for interconnecting the geometrically shaped air permeable sheet element is not disclosed by Hobart or the remaining prior art. The resulting high memory or shape retaining effect of the formed skeleton structure as a result of the inherently increased stiffness at the positions of the interconnections is not disclosed in the prior art. [See paragraph 0005]

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Therefore, Applicant respectfully requests the withdrawal of these claim rejections and prompt allowance of the claims.

Discussion of Rejection of Claims under 35 U.S.C. § 103(a)

Claim 7 was rejected under 35 U.S.C. §103(a) as being unpatentable over Hobart in view of Alivizatos (4,689,844). However, neither Hobart nor Alivizatos teaches or suggests the feature “wherein geometrically shaped air permeable shell shaping sheet elements having an external diameter between 50 and 200 cm and a wall thickness of at least 3 to 20 cm”. Though Column 5 of Alivizatos teaches a thickness of about 2 to 4 inches, the thickness there refers to the thickness of the whole seating structure, not the thickness of the shell elements set forth in Claim 7. The thickness of the whole seating structure may, for example, include the thickness of two shell elements and the thickness of the internal space between two shell elements. The thickness of the shell elements themselves are an important determinant of the shape retaining properties of the seat as a whole.

Therefore, it would not have been obvious to one of ordinary skill in the art to produce the invention of Claim 7 in view of Hobart and Alivizatos. Withdrawal of the rejection is respectfully requested.

New Claim 8

New claim 8 is directed to the embodiment of Figures 2-7 which has been found to exhibit excellent durability and shape retaining properties. It is respectfully submitted that the seat of claim 8 is patentable over the prior art of record.

Conclusion

In view of the foregoing remarks, it is respectfully submitted that the present application is in condition for allowance. Should the Examiner have any remaining concerns which might prevent the prompt allowance of the application, the Examiner is respectfully invited to contact the undersigned at the telephone number appearing below.

